

AMENDED

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office..... **DEC 08 1988**
Returned to applicant for correction..... **JAN 09 1989**
Corrected application filed..... **MAR 09 1989**
Map filed..... **MAR 15 1989**

The applicant..... **Atlas Precious Metals, Inc.**
P.O. box 282....., of **Eureka**,
Street and No. or P.O. Box No. City or Town
Nevada, 89316, hereby make application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
copartnership or association, give names of members.) **A Nevada Corporation incorporated May 4,**
1983

1. The source of the proposed appropriation is **underground**
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is **1.0** second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet.....
3. The water to be used for **mining, milling, domestic**
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated.....
 - (b) Stockwater, state number and kinds of animals to be watered.....
 - (c) Other use (describe fully under "No. 12. Remarks").....
 - (d) Power:
 - (1) Horsepower developed.....
 - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point **within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14,**
Describe as being within a 40-acre subdivision of public
Township 22 North, Range 50 East. M.D.B. & M. From a marked rock at the SE corner
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
of Section 23, T22N, R50E the proposed point of diversion is N34° 07'00" W at a
distance of 7,300.00 feet.
6. Place of use **Within all of Sections 28, 33 and 34, Township 23 North, Range 50 East,**
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
and within all of Sections 2, 3, 4, 9, 10, 11, 14, 15, 19, 20, 21, and 22, Township
22 North, Range 50 East, M.D.B. & M.
7. Use will begin about **January 1** and end about **December 31**, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) **Drilled and cased well, submersible pump,**
State manner in which water is to be diverted, i.e. diversion structure, ditches and
electric motor, distribution system and storage reservoir.
flumes, drilled well with pump and motor, etc.
9. Estimated cost of works **\$50,000**

10. Estimated time required to construct works. Three years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use. Five years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The estimated combined duty for permits 52768 and 52769 is 56.6 million gallons per year for consumption.

By /s/ Barbara A. Filas
Barbara A. Filas
P.O. box 282
Eureka, Nevada 89316

Compared kh/pas bp/vw

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 235.906

million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 27, 1991

Proof of completion of work shall be filed on or before July 27, 1991

Application of water to beneficial use shall be made on or before June 27, 1992

Proof of the application of water to beneficial use shall be filed on or before July 27, 1992

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed..... IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 18th day of May,

Cultural map filed..... A.D. 19 90

Certificate No. Issued..... R. Michael Turnipseed P.E.
State Engineer

JUL 22 1992
R. Michael Turnipseed P.E.
STATE ENGINEER

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 48444, 49162, 51918, 51919, 52196, 52197, 52768, 54093 and 54094 shall not exceed 452.8 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly reports of water use and any static water level measurements shall be submitted to the State Engineer by the permittee.